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BARTOLUS ON THE CONFLICT OF LAWS. Translated into English by Joseph Henry Beale, Royall Professor of Law in Harvard University. Cambridge: Harvard University Press. pp. 86.

Bartolus, *lucerna juris*, the greatest figure of the school of Commentators or Post-Glossators of the fourteenth century, was compelled, as a necessary part of the great task undertaken by that school, — the creation of a true common law, out of the materials furnished by the Corpus Juris, the Gloss, and local customs and statutes, — to consider problems of Conflict of Laws. The relationships of the Italian city states, because of an expanding commercial development, were becoming closer and more intimate. Contracts were entered into in one city to be performed in another. Property, both movable and immovable, was frequently in the ownership of citizens of other cities. Inter-marriages were frequent. Crimes and delicts were committed by strangers. Some solution of the juristic problems arising out of such conditions was imperative. The work of Bartolus was of authority for centuries and has value for us to-day. Probably to him rather than to any one else is due the first clear recognition of the principle that the *lex loci* governs the validity of the legal act: a contract or a testament; that the law of the place of performance controls as to all consequences arising from neglect or delay in performance; that the *lex fori* controls in matters of procedure and remedy; and that the law governing a delict is the law of the place where the delict occurred. Bartolus also recognized and took account of the distinction between laws operating only within the territory and laws which might have operation outside, a distinction of which so much was made in later continental writings on the Conflict of Laws.

The translation of those portions of Bartolus' Commentary on the Code relating to the Conflict of Laws was well worth doing, and, so far as it can be determined without a comparison with the original, it seems to have been thoroughly well done. The book, issued upon the six hundredth anniversary of Bartolus' birth, is, in appearance as well as contents, worthy of the occasion.

E. R. J.

LEGAL PRINCIPLES OF PUBLIC HEALTH ADMINISTRATION. By Henry Bixby Hemenway, M.D. Chicago: T. H. Flood & Co. 1914. pp. xxxvi, 859.

As everyone knows, the statutes and ordinances as to public health have vastly enlarged the actual scope of government. Hence this book. It will be valuable to health boards and health officers; for it gives in popular form the doctrines of law on their powers and liabilities. Among the topics covered in the part devoted to general principles are the relation of health administration to the three departments of government, — the police power, due process of law, nuisance, the relations of the nation and the states, and liability for the contracts and torts of health boards and health officers. A discussion of special topics follows, covering quarantine, licenses, water, sewage, garbage, pure food and drug regulation, industrial regulation, school inspection, and eugenics. Thus it is obvious that the author takes a wide and useful view of his subject, and bears in mind the practical needs of health boards and health officers. Even the lawyer will find it convenient to have in one volume the doctrines and citations which are usually scattered among books on Contracts, Torts, Agency, Public Officers, Municipal Corporations, and Constitutional Law. Quite apart from the lawyer's possible practical use of the volume is the pleasure which he may well derive from the author's interesting mode of discussion; for the author has thought about his subject and has not compiled a collection of statutes, ordinances, and extracts from judicial opinions; and, besides, he has caught the lawyer's point of view so well that he thoroughly disarms the

hostility with which the lawyer has learned to open books wherein law is dealt with by laymen. E. W.

THE LAW OF WILLS AND THE ADMINISTRATION OF ESTATES. By William Patterson Borland. Kansas City: Vernon Law Book Company. 1915. pp. xv, 723.

This book is primarily intended for the Western lawyer, for the majority of the citations are from Missouri, Arkansas, Nebraska, Kansas, Oklahoma, Texas, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, and California. Its usefulness depends largely on enabling him to find decisions on the law of wills in his state. The discussion of administration is too brief to be of much assistance in settling an estate. There is a greater need to-day for books on the administration of estates than on wills; and it is, therefore, disappointing to find that Mr. Borland has only devoted two chapters out of thirteen to that important subject. But beyond this we cannot hope that the author's intention "to make this the best one-volume work on the subject" will be realized. In spite of his statement that all the leading cases in this country and in England are included we find notable omissions from the index: *Allen v. Maddock*, 11 Moo. P. C. 427; *White v. Trustees of British Museum*, 6 Bing. 310; *Bibb v. Thomas*, 2 W. B. C. 1043; *Chase v. Kiltredge*, 11 Allen 49; *Lacey v. Dobbs*, 63 N. J. Eq. 325. One important topic at least is hardly touched on,—the effect of revocation of probate. The reader is surprised to learn that the doctrine of incorporation by reference is stated (p. 51) as if it were law throughout the United States, though there is a marked dissent in several states and the question is open in others. Nor can we agree with the statement that "The witnesses may sign before the testator if the acts are practically contemporaneous" (p. 61), unless we add "in some states." J. W.

WHY THE WAR CANNOT BE FINAL. By Albert W. Alderson. London: P. S. King and Son, Ltd. 1915. pp. 31.

THE ACT TO REGULATE COMMERCE AND SUPPLEMENTAL ACTS. By Herbert C. Lust. Chicago: LaSalle Extension University. 1915. pp. vii, 196, 141.

THE LAW OF CARRIERS OF GOODS. By Ralph Merriam. Chicago: LaSalle Extension University. 1914. pp. ix, 180.

THE PRINCIPLES OF EQUITY. By Edmund H. T. Snell. Seventeenth Edition. By H. Gibson Rivington and A. Clifford Fountaine. London: Stevens and Haynes. 1915. pp. xlix, 638.

LIMITATIONS ON THE TREATY-MAKING POWER. By Henry St. George Tucker. Boston: Little, Brown, and Company. 1915. pp. xxi, 444.

THE LAW OF ARREST IN CIVIL AND CRIMINAL ACTIONS. By Harvey Cortlandt Voorhees. Second Edition. Boston: Little, Brown, and Company. 1915. pp. xliii, 287.

THE COLLECTED PAPERS OF JOHN WESTLAKE ON PUBLIC INTERNATIONAL LAW. Edited by L. Oppenheim. Cambridge: University Press. 1914. pp. xxix, 705.